

George Jarvis (J).. Austin, esq. (TBA) 06/06/20
Austin v. Tesla, et. al. Case # 3:20-cv-00800
P.O. Box 1832 Oakland, CA 94604, or alternatively
240 E. Channel St. #431 Stockton, CA 95202

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. AUSTIN, Plaintiff,

TESTIMONIAL DEFAMATION PER SE
AFFIDAVIT

Re: Dkt. Nos. 12, 16-19

v.

TESLA., et al., Defendants.

Case No. 3:20-cv-00800

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Pursuant to Rule 26 *Duty to Disclose; General Provisions Governing Discovery*, Rule 56(c), and Rule 44 *Proving an Official Record* Plaintiff moves to file a Defamation Per Se Testimonial Affidavit of a Recorded, Saved, and Transcribed Voicemail from Sandy Malloy. See attached. Plaintiff followed this message up in writing to get clarity, and give Defendants multiple opportunities to correct their false, and defamatory statement(s), but no correction was made, and additional legal liability ensued. Additionally, plaintiff tried to proactively break down the elements and ask for verification by Sandy, and Defendants, as Plaintiff wasn't sure if she realized that she was incurring, and potentially magnifying, legal liability for Defendants (and tried to provide an out). Ms. Malloy doubled down, without evidence, and solidified the liability incurring statements. See attached.

Plaintiff, (University of California, Berkeley Graduate (09'), Honors Student, Bay Area Housing Commissioner, Alum, NAACP National Representative, and Local Youth and College President, Alum, California Senate, Capital Fellows, Senate Fellows Top 10 out of 800+ Nationally Ranked, Alum (13'), UCLA Law, and Anderson Riordan MBA Fellows, Alum (08', 13'), T-14 Law Student, as well as others), and Attorney of Record, Mr. George Jarvis (J.) Austin, esq. (TBA) has also tried repeatedly to resolve the issue outside of litigation, but no amenable option, or alternative, was provided by Defendants. Specifically, Plaintiff exhausted pre-litigation options to try and solve the issue outside of court, avoid any unnecessary litigation, or causes of action, but Defendant employers refused, and further shut down healthy professional, proactive, communication.

[Written Transcription from Sandy Malloy - Defamation Per Se]

“Hi George, this is Sandy from Balance Staffing, um since I know you are not going to pick up the phone, I'm going to leave this information letting you know, that I'm aware that you had a meeting with Alexandra, and the Tesla HR this week, as a result of that we are ending your assignment, due to a violation of California Penal Code, in regards to recording a supervisor without his consent, your final paycheck can be picked up today after 5pm, if you don't pick it up today it will be mailed by FedEx, um yeah so if you want to discuss this just give me a call, you have my number” - Sandy Malloy, Balance Staffing [Speaking on Behalf of All Defendants]

< Voicemail

Edit



Sandy Malloy



message



call



FaceTime



mail



pay

January 14, 2020

8:58 AM Missed Call

phone

+1 (209) 3 [REDACTED]

FaceTime



Notes

Send Message



Favorites



Recents



Contacts



Keypad



Voicemail

202

Done



< Voicemail

Edit



Sandy Malloy



message



call



FaceTime



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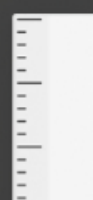
Contacts



Keypad



Voicemail



Cancel



Save

Item will be saved to "Downloads" on iCloud Drive.



voicemail-233



iCloud Drive



Downloads



On My iPhone

